

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

CHILDRESS COMPANY, INC., :  
 :  
 Plaintiff, :  
 :  
 vs. : CIVIL ACTION 10-0148-KD-M  
 :  
 AMERICAN COMMERCIAL LINES, LLC., :  
 :  
 Defendant. :

## ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated August 27, 2010, is adopted as the opinion of this Court.

It is ORDERED that Defendant's Motion to Dismiss be denied, but that the Motion to Transfer Venue (Doc. 13) be GRANTED. It is further ORDERED that this action be transferred, pursuant to 28 U.S.C. § 1404(a) to the Southern District of Indiana, New Albany Division.

DONE this 14th day of September, 2010.

s/ Kristi K. DuBose  
KRISTI K. DuBOSE  
UNITED STATES DISTRICT JUDGE